IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION
WRIT PETITION NO.2821 OF 2007

Shri Bhausaheb Jinnappa Patil .. Petitioner
v/s.
The State of Maharashtra and others .. Respondents

Mr. N.V. Bandiwadekar for the petitioner.
Mr. V.P. Malwankar, Assistant Government Pleader for the respondent No.1.
Mr. Vijay Killedar for the respondent No.3.

CORAM : F.I. REBELLO AND
R.M. SAVANT, JJ.
DATED : 24TH APRIL, 2007

P.C.

The appointment is on deputation. For appointment as Deputy Engineer in the Pradhan Mantri Gram Sadak Yojana, the names of the petitioner and one Shri D.K. Raskar were initially forwarded and the name of respondent No.3 was forwarded subsequently. The respondent No.3 has been selected for the appointment on deputation.

2. It is the case of the petitioner that there was no occasion for the authorities to forward the name of the respondent No.3 when the Government had called for the information only in respect of the petitioner and one Shri D.K. Raskar. It is, therefore, submitted that the entire exercise is arbitrary and malafide.

3. We have considered the contention of the petitioner as also the respondents. The appointment is purely on deputation. In other

words, it is not in the regular hierarchy of promotion. It is for the respondents to select who according to them is the best candidate available to be appointed on deputation between the petitioner and the respondent No.3. From the confidential record as received, it appears that the respondent No.3 has better Crs than the petitioner. The contention of the petitioner is that in fact, D.K. Raskar has better qualification. Shri Raskar is not before us nor he has challenged the appointment of respondent No.3 on deputation. It is, therefore, not possible to sustain the contention as urged on behalf of the petitioner herein.

4. Considering the appointment of the petitioner on deputation, this is not a fit case to interfere in our extraordinary jurisdiction. Hence petition disposed of.

(F.I. REBELLO, J.)

(R.M. SAVANT, J.)